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In re Application of: :
Goddard et al. : DECISION ON PETITION TO
Serial No.: 10/063,581 : WITHDRAW THE HOLDING
Filed: May 3, 2002 : OF ABANDONMENT
Attorney Docket No.: P3230R1C001-168 :
:

This is in response to applicants' petition under 37 CFR § 1.181(a) filed on July 25, 2005, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the Office action mailed June 25, 2004.

A review of the file history shows that the examiner mailed an Office action to applicant on June 25, 2004, setting a three-month statutory time period for reply. On June 15, 2005, the examiner mailed a notice of abandonment for failure to respond to the outstanding Office action.

Applicants state that a timely response to the Office action was filed on September 24, 2004, as evidenced by the Certificate of Mailing date of September 24, 2004; and received by the USPTO on September 27, 2004, as evidenced by the return receipt stamped postcard identifying the papers filed.

In view of this evidence, applicant is considered to have submitted a timely reply.

Applicant's petition is **GRANTED**. This application will be forwarded to the examiner for consideration of the Response of September 24, 2004.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or facsimile at 703-872-9306.

Jasemine Chambers
Director, Technology Center 1600